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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

JASMEN HOLLOWAY, AMY GARCIA,  
CHERYL CHAPPEL, ERIC BLACKSHER,  
JESSICA TREAS, LAWRENCE SANTIAGO,  
JR., MUEMBO MUANZA, MAURICE  
CALHOUN, NICHOLAS DIXON, AND SUSAN  
MYERS-SNYDER, on behalf of themselves and  
all others similarly situated,

Plaintiffs,

v.

BEST BUY CO., INC., and BEST BUY STORES,  
L.P.

Defendants.

Case No. C-05-5056 PJH (MEJ)

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER  
TO EXTEND JUNE 30, 2007 DOCUMENT  
PRODUCTION DEADLINE IN ORDER TO  
PERMIT THE PARTIES TO MEET AND  
CONFER REGARDING POSSIBLE  
METHODS FOR STREAMLINING  
DISCOVERY AND NEW PRODUCTION  
AND FILING DEADLINES**

1           The parties seek by this stipulation and proposed order to extend the existing June 30,  
2 2007 substantial completion deadline for document production to and including July 9, 2007, in order  
3 to give the parties time to attempt to agree on methods for streamlining document production and  
4 discovery and to propose a modified discovery and class certification schedule in light of the massive  
5 and higher than anticipated amount of documents responsive to Plaintiffs' document requests.

6           WHEREAS, at the status conference for this case held on April 13, 2006, this Court set  
7 certain dates and deadlines;

8           WHEREAS, Plaintiffs served their First Request for Production of Documents on  
9 March 23, 2006 and Best Buy, after receiving an extension of time, timely responded on May 25,  
10 2006;

11           WHEREAS, Plaintiffs have continued to serve additional requests for production,  
12 including a Fourth Request for Production served on September 13, 2006;

13           WHEREAS, the nature of the Requests for Production require Best Buy to gather hard  
14 copy documents, electronic documents and e-mails from approximately 750 stores, 57 districts, 8  
15 territories/regions and the corporate headquarters dating from January 1, 2001 forward;

16           WHEREAS, due in large part to the volume of documents that must be reviewed and  
17 produced by Best Buy, the parties continued certain of the dates set forth at the April 13, 2006 status  
18 conference by stipulation and order on October 17, 2006;

19           WHEREAS, the parties further continued certain of the dates set forth in the October  
20 17, 2006 stipulation and order by stipulation and order on May 14, 2007;

21           WHEREAS, the May 14, 2007 stipulation and order continued the date by which Best  
22 Buy's production of documents responsive to Plaintiffs' First and Fourth Sets of Requests for  
23 Production was to be substantially complete from April 30, 2007 to June 30, 2007;

24           WHEREAS, the parties informed the Court in the May 14, 2007 stipulation and order  
25 that they would endeavor to adhere to the remainder of the October 17, 2006 scheduling order  
26 regarding completion of 30(6)(b) depositions, the designation and discovery of experts, and the  
27 briefing and hearing on class certification, but might need to request a continuation of these dates as  
28

1 well if the volume of documents and/or witness schedules did not permit completion of the 30(6)(b)  
2 depositions by August, 2007;

3 WHEREAS, Best Buy represents that it has already reviewed over 35 million pages of  
4 documents and produced almost 8 million pages responsive to Plaintiffs' document requests;

5 WHEREAS, Best Buy represents that it has assigned a team of over 60 lawyers and  
6 paralegals to identify, amass, manage, review and produce responsive documents from over 750 stores,  
7 57 districts, and 8 territories and its corporate headquarters going back to June 1, 2001;

8 WHEREAS, Best Buy represents that over 50 million pages of documents potentially  
9 responsive to Plaintiffs' requests remain to be reviewed;

10 WHEREAS, Best Buy has informed Plaintiffs that, due to the sheer breadth and volume  
11 of documents that must still be reviewed and produced, it will be unable to substantially complete  
12 production of documents responsive to Plaintiffs' First and Fourth Requests for Production of  
13 Documents by June 30, 2007, as set forth in the May 14, 2007 stipulation and order;

14 WHEREAS, Best Buy has informed Plaintiffs that it will require several additional  
15 months to complete production of responsive documents;

16 WHEREAS, any continuation of Best Buy's deadline for the completion of document  
17 production will necessitate a corresponding continuance of other dates set forth in the October 17,  
18 2006 and May 14, 2007 stipulations and orders, including the deadlines for plaintiffs to amend the  
19 complaint, the service of expert reports, and the filing of plaintiffs' class certification brief;

20 WHEREAS, on June 27, 2007, the Court signed the parties' stipulation continuing the  
21 mediation in this case from June 20-21, 2007 to October 16, 2007;

22 WHEREAS, the parties intend to complete as much discovery as possible prior to the  
23 October mediation date so that the mediation session can be productive;

24 WHEREAS, the parties are in the process of meeting and conferring to try to reach  
25 agreement as to possible methods for streamlining the remaining discovery so as to move the case  
26 forward expeditiously and be prepared for the October 2007 mediation;

27 WHEREAS, the parties need additional time to determine whether the remaining  
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discovery can be streamlined, to attempt to reach agreement on procedures for streamlining the remaining discovery, and to attempt to reach agreement on the time period needed for Best Buy to complete its document production and the corresponding continuance of dates that are contingent on Best Buy's completion of document production, including the deadline for moving to amend the complaint, service of expert reports, and moving for class certification;

THEREFORE, the parties hereby stipulate and agree, and request that the Court order, that:

Best Buy's deadline to substantially complete document production responsive to Plaintiffs' First and Fourth Set of Requests for Production be extended from June 30, 2007 to July 9, 2007, in order to allow the parties time to meet and confer with respect to possible methods for streamlining discovery and to work out a new schedule for completion of document production and other deadlines. If the parties are unable to reach agreement, they shall present their respective positions to the Court.

The parties hereby stipulate, and request that the Court so order.

DATED: June 29, 2007

**ALTSHULER BERZON LLP**

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Attorneys for Plaintiffs

DATED: June 29, 2007

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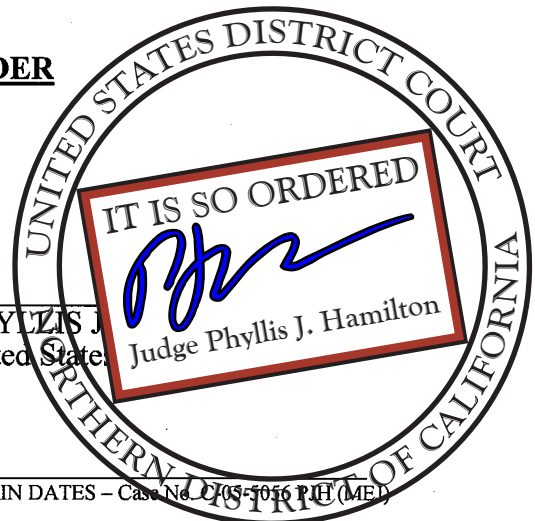
Attorneys for Defendants BEST BUY CO., INC.  
and BEST BUY STORES, L.P.

**[PROPOSED] ORDER**

Pursuant to Stipulation, it is so ORDERED,

DATED: 7/5/07

PHYLLIS J.  
United States Judge Phyllis J. Hamilton



**ATTESTATION**

I hereby certify that for all conformed signatures indicated by a /s/ I have permission to file on behalf of the signatory.

DATED: June 29, 2007

By: /s/ Eve H. Cervantez

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